

Regular Session Meeting
Mayor and Council
November 24, 2014

A Regular Session Meeting of the Mayor and Council of the Borough of Allendale was held in the Municipal Building at 500 West Crescent Avenue, Allendale, NJ on November 24, 2014. The meeting was called to order at 8:53 p.m. by Mayor Barra who announced that the requirements of the Open Public Meeting Act were met by the required posting and notices of publications.

The Mayor led those present in a salute to the flag.

The following individuals answered roll call: Councilmembers Bernstein, McSwiggan, Sasso, White, Wilczynski and Mayor Barra. Councilman Strauch was absent. Mr. Valenzuela and Mr. Bole, were also present.

Councilwoman McSwiggan made a motion to remove from the minutes the Work and Regular Session Minutes of September 22, 2014, seconded by Councilwoman Wilczynski.

On Roll Call: All Council members voted in favor.

Councilwoman White made a motion to approve the Work and Regular Session Minutes of September 08, 2014 as submitted, Seconded by Councilwoman McSwiggan.

On Roll Call: All Council members voted in favor except Councilwoman Wilczynski, who abstained from voting on the work session.

Public Comments:

There were no public comments

Resolutions off Consent:

Resolution 14-326:* Ordinance 14-24 Introduction to Repeal Article III of Chapter 233 entitled "Streets and Sidewalks" (Street Openings)

BE IT RESOLVED that Ordinance 14-24, an ordinance to repeal Article III of Chapter 233 of the Code Entitled "Streets and Sidewalks" Sections 233-7 to 233.21, is introduced, and does now pass on first reading, and that said ordinance be further considered for final passage at a meeting to be held on the 11th day of December, 2014, at 8:00 p.m. or as soon thereafter, at Allendale Borough Hall, Council Chambers, and that at such time and place all persons interested be given an opportunity to be heard concerning said ordinance.

Councilwoman White made a motion to approve the Ordinance 14-24; seconded by Councilman Sasso.

On Roll Call: All Council members voted in favor.

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Resolution 14-337: Ordinance 14-25 Introduction of Amendment to Chapter 233 entitled "Streets and Sidewalks" (Street Openings)

Introduction of Ordinance 14-25

BE IT RESOLVED that Ordinance 14-25 An ordinance to reestablish Article III of Chapter 233 of the Borough Code Entitled "STREETS AND SIDEWALKS", is introduced, and does now pass on first reading, and that said ordinance be further considered for final passage at a meeting to be held on the 11th day of December, 2014, at 8:00 p.m. or as soon thereafter, at Allendale Borough Hall, Council Chambers, and that at such time and place all persons interested be given an opportunity to be heard concerning said ordinance.

Councilman Sasso made a motion to approve the Ordinance 14-25; seconded by Councilwoman McSwiggan.

On Roll Call: All Council members voted in favor.

Resolution 14-339: Ordinance 14-26 Introduction of Amendment to Salary Ordinance (Acting Technical Assistant to the Building Department)

BE IT RESOLVED that Ordinance 14-26 **AN ORDINANCE TO AMEND AND SUPPLEMENT THE 2014 SALARY ORDINANCE, ORDINANCE 14-01 ENTITLED "AN ORDINANCE TO AMEND CHAPTER 53 OF THE CODE OF THE BOROUGH OF ALLENDALE TO FIX THE SALARIES, WAGES AND COMPENSATION OF THE OFFICERS AND EMPLOYEES OF THE BOROUGH OF ALLENDALE FOR THE YEAR 2014** , is introduced, and does now pass on first reading, and that said ordinance be further considered for final passage at a meeting to be held on the 11th day of December, 2014, at 8:00 p.m. or as soon thereafter, at Allendale Borough Hall, Council Chambers, and that at such time and place all persons interested be given an opportunity to be heard concerning said ordinance.

Councilwoman White made a motion to approve the Ordinance 14-26; seconded by Councilwoman McSwiggan.

On Roll Call: All Council members voted in favor.

Consent Agenda:

Resolution 14-327: List of Bills.

Now, Therefore, Be It Resolved by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey that it hereby approves the Bill List dated

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November 13, 2014.

Resolution 14-328: Authorize Tax Collector to issue refund for over payment of 2014 taxes in the amount of \$2,784.00 for Michael Landeck/Michelle Berman 18 Allison Court.

OVERPAYMENT

BE IT RESOLVED by the Council of the Borough of Allendale that the Tax Collector is hereby authorized to issue the following check on the property listed below and charge same to Overpayment of 2014 Taxes:

<u>Block/ Lot</u>	<u>Name</u>	<u>Property Location</u>	<u>Amount</u>
1809/14 C0018	Landeck, Michael & Berman, Michele 18 Allison Court Allendale, NJ 07401	18 Allison Ct	\$2,784.00

Resolution 14-329: Authorize Tax Collector to reduce 2014 tax levy and issue overpayment checks for State Tax Board Judgment for Tax Years 2013 and 2014. Spiotti and Esposito 10 Gloria Drive.

State Tax Board Judgment

BE IT RESOLVED, by the Council of the Borough of Allendale that the Tax Collector is hereby authorized to reduce the 2014 tax levy and issue the following overpayment check due to a State Tax Board Judgment for the Tax Year 2013 & 2014:

<u>Block/Lot</u>	<u>Name</u>	<u>Property Location</u>	<u>Amount</u>
2014			
605/1	Spiotti & Esposito, P.C. 165 Passaic Avenue Suite 103A Fairfield, NJ 07004	10 Gloria Drive	\$941.29
2013			
605/1	Spiotti & Esposito 165 Passaic Avenue Suite 103A Fairfield, NJ 07004	10 Gloria Drive	\$931.02

Resolution 14-330: Authorize Tax Collector to cancel taxes owed for uncollected properties.

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UNCOLLECTIBLE PROPERTIES

BE IT RESOLVED, by the Council of the Borough of Allendale that the Tax Collector is hereby authorized to cancel the taxes owed on the following list of uncollectible properties for 2014. The properties are as follows:

<u>Block / Lot</u>	<u>Address</u>	<u>Amount</u>
301 / 45	Rear Farley Place	\$219.24
2204 / 15	New Street	\$ 35.75

Resolution 14-331: Approval of Budget Transfers.

BUDGET TRANSFERS

WHEREAS, Budget Transfers are permitted during the last two months of the current year and the first three months of the following year;

NOW THEREFORE, BE IT RESOLVED, BY THE Mayor & Council of the Borough of Allendale that the following transfers be made between the 2014 Budget Appropriations:

DEPARTMENT	ACCOUNT NUMBER	FROM	TO
Fire Sub Code, S&W	4-01-22-199-012		\$1,800
Recycling, Other Expenses	4-01-26-309-029		\$18,000
Planning/Zoning, Other Expenses	4-01-21-180-063	18,000	
Salary & Wage Adjustments	4-01-30-411-012	1,800	
Total Transfers		\$19,800	\$19,800

Resolution 14-332: Amendment to Resolution 14-324 Re: Budget Transfers.

BUDGET TRANSFERS

WHEREAS, Budget Transfers are permitted during the last two months of the current year and the first three months of the following year; and

WHEREAS, Resolution 14-324 which was adopted by the Governing Body on November 13, 2014 stated that the Budget Appropriation for the PFRS Account#4-01-36-474-000 was approved as \$11,602.00, and whereas after further review and calculations, said Budget Appropriation for the PFRS Account #4-021-36-474-000 is now at 20,0000.00, and

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WHEREAS, Budget Appropriation for Salary and Wages Account #4-01-30-012 for \$2,402.00 is also to be added to the Budget Transfer Totals which has been amended below to identified the Total Transfers as \$39,402, and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey that the following Total Transfers of \$ 28,602.00 which was approved via Resolution 14-324 on November 13, 2014 is hereby amended to \$39,402.00 which includes the addition Budget Appropriation Transfer of \$2,402.00 from the Salary and Wages Account #4-01-30-012: and

NOW THEREFORE, BE IT RESOLVED, by the Mayor & Council of the Borough of Allendale that the following transfers be made and amended between the 2014 Budget Appropriations:

DEPARTMENT	ACCOUNT NUMBER	FROM	TO
Mayor & Council, Other Expenses	4-01-20-110-063		\$1,000
Municipal Clerk, S&W	4-01-20-120-011		9,000
Collection of Tax, S&W	4-01-20-145-011		500
Construction Code, Other Expenses	4-01-22-195-063		500
Plumbing Sub Code, S&W	4-01-22-197-012		3,500
Fire Sub Code, S&W	4-01-22-199-012		2,400
Prosecutor, S&W	4-01-25-275-012		1
Streets & Roads, Other Expenses	4-01-26-290-063		5,000
Buildings & Grounds, Other Expenses	4-01-26-310-063		5,000
Board of Health, S&W	4-01-27-330-011		1
Crestwood, Other Expenses	4-01-28-371-096		500
Sewer, S&W	4-01-31-455-014		12,000
PERS	4-01-36-471-000	17,000	
PFRS	4-01-36-474-000	20,000	
Salary and Wages	4-01-30-411-012	2,402	
Total Transfers		\$39,402	\$39,402

Resolution 14-333: Approval of endorsement of application for Community Development Block Grant funds for ADA accessible bathrooms at the Red Barn at Crestwood Lake.

WHEREAS, a Bergen County Community Development grant of **\$35,000.00** has been proposed by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey, and

WHEREAS, pursuant to the State Interlocal Services Act, Community Development funds may not be spent in a municipality without authorization by the Governing Body, and

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WHEREAS, the aforesaid project is in the best interest of the people of Allendale, and

WHEREAS, this resolution does not obligate the financial resources of the municipality and is intended solely to expedite expenditure of the aforesaid CD funds.

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of Allendale hereby confirms endorsement of the aforesaid project, and

BE IT FURTHER RESOLVED, that a copy of this resolution shall be sent to the Director of the Bergen County Community Development Program so that implementation of the aforesaid project may be expedited.

Resolution 14-334: Approval of proposal from Dewberry Engineers, Inc for Soil Remediation Investigation Services.

WHEREAS, the Borough requires engineering services to address residual soil contamination at the Borough's DPW Site located at New Street; and

WHEREAS, Dewberry Engineers, Inc., has submitted a proposal for such services dated November 5, 2014, which the Public Works Committee finds acceptable and which has been recommended to the Governing Body; and

WHEREAS, Dewberry Engineers, Inc., is duly qualified and is available to perform such services; and

WHEREAS, the Chief Financial Officer has attached hereto a Certification pursuant to NJAC 5:30-5.4 that adequate funds are available to pay for the Contract;

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body that it does hereby award a Contract to Dewberry Engineers, Inc., of Parsippany, New Jersey in the amount of \$21,631.00; and

BE IT FURTHER RESOLVED, that the Mayor and Acting Clerk are authorized to sign the Dewberry proposal or an appropriate agreement to reflect these services; and

BE IT FURTHER RESOLVED, that a brief notice of the passage of this Resolution and award of Contract be published in a legal newspaper of the Borough as provided by law.

Resolution 14-335: Appointment of John A. Tanucilli as dispatcher in training.

Hire of Per-Diem Police Dispatcher

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BE IT RESOLVED, by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey that John A. Tanucilli be hired as a per-diem Police dispatcher in training at the hourly rate of \$15.30 effective November 25, 2014:

Resolution 14-336: Approval of payment to Richard McDowell for repairs to vehicle damaged at DPW yard.

WHEREAS, employee, Richard McDowell's personal car was parked in the DPW Parking Lot and was hit and damaged by a stone thrown from a Borough operated lawn mower; and

WHEREAS, a claim has been filed for the cost of damage to the employee's vehicle; and

WHEREAS, the Public Works Committee has reviewed the claim and has recommended that it is in the best interest of the Borough and its employee to resolve same;

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body that it does hereby authorize a settlement of the aforesaid claim by payment in the amount of \$1,327.00 to employee, Richard McDowell, for damage to his vehicle with the understanding that it is in the best interest of the Borough to resolve this claim without an admission of liability on its part and upon presentation of a paid invoice, cancelled check or estimate verifying the cost of such repairs; and

BE IT FURTHER RESOLVED, that the appropriate Borough Official is hereby authorized to cause such payment to be made to said Richard McDowell.

Resolution 14-338: Amendment to Resolution 14-292. Approval of Salary Adjustment to technical Assistant to the Director of Public Works.

An Amendment to Salary Resolution – Technical Assistant to Director of
Operations/Borough Engineer
P/T Hourly

WHEREAS, the Governing Body approved Resolution 14-292 on October 9, 2014 to increase the salary of Melissa Daly, Technical Assistant to the Director of Operations to \$25.00 per hour, and whereas Ordinance #14-20 was scheduled for introduction to effect that salary increase on October 9, 2014, and whereas due to an inquiry by United Public Service Employees Union, introduction of Ordinance 14-20 was tabled until October 23, 2014. A public hearing was held on October 23, 2014, and was adjourned until November 13, 2014. Ordinance 14-20 was adopted on November 13th, 2014 by the Governing Body, and whereas the effective date of October 23, 2014 for the increase in pay is now amended to November 13th, 2014 upon the passage of the salary ordinance.

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Councilwoman McSwiggan made a motion to approve the Consent Agenda; seconded by Councilwoman Wilczynski.

On Roll Call: All Council members voted in favor.

Unfinished Business:
None.

New Business:
None.

Committee Reports and Comments:

Water and Sewer

Mrs. McSwiggan said that the Water Committee will meet next week.

Public Safety

Mr. Bernstein noted that there will be a meeting tomorrow morning at 8:00 a.m. to go over the Police Department capital budget.

Administration Finance and Human Resources

Mrs. White indicated that the Administration Finance & Personnel Committee will meet next week. They are gathering requests from the Departments for capital Budgets. The budget work sheets for 2015 have gone out to all of the department heads.

Facilities, Parks and Recreation

Mrs. Wilczynski and Mrs. White and Mrs. McSwiggan attended the league of Municipalities Convention where the Borough of Allendale was awarded a bronze certificate for recycling. Mrs. Wilczynski indicated that she and the Green Team are reaching for the silver plaque next year. Mrs. McSwiggan complemented Amy and the Green Team for a job well done. Mrs. Wilczynski said that there will be a Facility Meeting Next Friday, December 3rd.

Public Works

Mr. Sasso met with the new agreement for our potential recycling vendor. DPW Crew Chief said that they are ready for the snow season. We have enough salt for five major storms.

Land Use and Construction Code

Mr. Bole reported in Mr. Strauch's absence that the next Land Use meeting will be on December 1st at 8:00.

Municipal Attorney

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Public Comments:

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Resolutions off Consent:

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BE IT RESOLVED that Ordinance 14-24, an ordinance to repeal Article III of Chapter 233 of the Code Entitled "Streets and Sidewalks" Sections 233-7 to 233.21, is introduced, and does now pass on first reading, and that said ordinance be further considered for final passage at a meeting to be held on the 11th day of December, 2014, at 8:00 p.m. or as soon thereafter, at Allendale Borough Hall, Council Chambers, and that at such time and place all persons interested be given an opportunity to be heard concerning said ordinance.

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Introduction of Ordinance 14-25

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BE IT RESOLVED that Ordinance 14-26 **AN ORDINANCE TO AMEND AND SUPPLEMENT THE 2014 SALARY ORDINANCE, ORDINANCE 14-01 ENTITLED "AN ORDINANCE TO AMEND CHAPTER 53 OF THE CODE OF THE BOROUGH OF ALLENDALE TO FIX THE SALARIES, WAGES AND COMPENSATION OF THE OFFICERS AND EMPLOYEES OF THE BOROUGH OF ALLENDALE FOR THE YEAR 2014** , is introduced, and does now pass on first reading, and that said ordinance be further considered for final passage at a meeting to be held on the 11th day of December, 2014, at 8:00 p.m. or as soon thereafter, at Allendale Borough Hall, Council Chambers, and that at such time and place all persons interested be given an opportunity to be heard concerning said ordinance.

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Consent Agenda:

Resolution 14-327: List of Bills.

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BUDGET TRANSFERS

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Total Transfers		\$19,800	\$19,800

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BUDGET TRANSFERS

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WHEREAS, Resolution 14-324 which was adopted by the Governing Body on November 13, 2014 stated that the Budget Appropriation for the PFRS Account#4-01-36-474-000 was approved as \$11,602.00, and whereas after further review and calculations, said Budget Appropriation for the PFRS Account #4-021-36-474-000 is now at 20,0000.00, and

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WHEREAS, Budget Appropriation for Salary and Wages Account #4-01-30-012 for \$2,402.00 is also to be added to the Budget Transfer Totals which has been amended below to identified the Total Transfers as \$39,402, and

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Resolution 14-333: Approval of endorsement of application for Community Development Block Grant funds for ADA accessible bathrooms at the Red Barn at Crestwood Lake.

WHEREAS, a Bergen County Community Development grant of **\$35,000.00** has been proposed by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey, and

WHEREAS, pursuant to the State Interlocal Services Act, Community Development funds may not be spent in a municipality without authorization by the Governing Body, and

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WHEREAS, the aforesaid project is in the best interest of the people of Allendale, and

WHEREAS, this resolution does not obligate the financial resources of the municipality and is intended solely to expedite expenditure of the aforesaid CD funds.

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of Allendale hereby confirms endorsement of the aforesaid project, and

BE IT FURTHER RESOLVED, that a copy of this resolution shall be sent to the Director of the Bergen County Community Development Program so that implementation of the aforesaid project may be expedited.

Resolution 14-334: Approval of proposal from Dewberry Engineers, Inc for Soil Remediation Investigation Services.

WHEREAS, the Borough requires engineering services to address residual soil contamination at the Borough's DPW Site located at New Street; and

WHEREAS, Dewberry Engineers, Inc., has submitted a proposal for such services dated November 5, 2014, which the Public Works Committee finds acceptable and which has been recommended to the Governing Body; and

WHEREAS, Dewberry Engineers, Inc., is duly qualified and is available to perform such services; and

WHEREAS, the Chief Financial Officer has attached hereto a Certification pursuant to NJAC 5:30-5.4 that adequate funds are available to pay for the Contract;

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body that it does hereby award a Contract to Dewberry Engineers, Inc., of Parsippany, New Jersey in the amount of \$21,631.00; and

BE IT FURTHER RESOLVED, that the Mayor and Acting Clerk are authorized to sign the Dewberry proposal or an appropriate agreement to reflect these services; and

BE IT FURTHER RESOLVED, that a brief notice of the passage of this Resolution and award of Contract be published in a legal newspaper of the Borough as provided by law.

Resolution 14-335: Appointment of John A. Tanucilli as dispatcher in training.

Hire of Per-Diem Police Dispatcher

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BE IT RESOLVED, by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey that John A. Tanucilli be hired as a per-diem Police dispatcher in training at the hourly rate of \$15.30 effective November 25, 2014:

Resolution 14-336: Approval of payment to Richard McDowell for repairs to vehicle damaged at DPW yard.

WHEREAS, employee, Richard McDowell's personal car was parked in the DPW Parking Lot and was hit and damaged by a stone thrown from a Borough operated lawn mower; and

WHEREAS, a claim has been filed for the cost of damage to the employee's vehicle; and

WHEREAS, the Public Works Committee has reviewed the claim and has recommended that it is in the best interest of the Borough and its employee to resolve same;

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body that it does hereby authorize a settlement of the aforesaid claim by payment in the amount of \$1,327.00 to employee, Richard McDowell, for damage to his vehicle with the understanding that it is in the best interest of the Borough to resolve this claim without an admission of liability on its part and upon presentation of a paid invoice, cancelled check or estimate verifying the cost of such repairs; and

BE IT FURTHER RESOLVED, that the appropriate Borough Official is hereby authorized to cause such payment to be made to said Richard McDowell.

Resolution 14-338: Amendment to Resolution 14-292. Approval of Salary Adjustment to technical Assistant to the Director of Public Works.

An Amendment to Salary Resolution – Technical Assistant to Director of
Operations/Borough Engineer
P/T Hourly

WHEREAS, the Governing Body approved Resolution 14-292 on October 9, 2014 to increase the salary of Melissa Daly, Technical Assistant to the Director of Operations to \$25.00 per hour, and whereas Ordinance #14-20 was scheduled for introduction to effect that salary increase on October 9, 2014, and whereas due to an inquiry by United Public Service Employees Union, introduction of Ordinance 14-20 was tabled until October 23, 2014. A public hearing was held on October 23, 2014, and was adjourned until November 13, 2014. Ordinance 14-20 was adopted on November 13th, 2014 by the Governing Body, and whereas the effective date of October 23, 2014 for the increase in pay is now amended to November 13th, 2014 upon the passage of the salary ordinance.

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Councilwoman McSwiggan made a motion to approve the Consent Agenda; seconded by Councilwoman Wilczynski.

On Roll Call: All Council members voted in favor.

Unfinished Business:
None.

New Business:
None.

Committee Reports and Comments:

Water and Sewer

Mrs. McSwiggan said that the Water Committee will meet next week.

Public Safety

Mr. Bernstein noted that there will be a meeting tomorrow morning at 8:00 a.m. to go over the Police Department capital budget.

Administration Finance and Human Resources

Mrs. White indicated that the Administration Finance & Personnel Committee will meet next week. They are gathering requests from the Departments for capital Budgets. The budget work sheets for 2015 have gone out to all of the department heads.

Facilities, Parks and Recreation

Mrs. Wilczynski and Mrs. White and Mrs. McSwiggan attended the league of Municipalities Convention where the Borough of Allendale was awarded a bronze certificate for recycling. Mrs. Wilczynski indicated that she and the Green Team are reaching for the silver plaque next year. Mrs. McSwiggan complemented Amy and the Green Team for a job well done. Mrs. Wilczynski said that there will be a Facility Meeting Next Friday, December 3rd.

Public Works

Mr. Sasso met with the new agreement for our potential recycling vendor. DPW Crew Chief said that they are ready for the snow season. We have enough salt for five major storms.

Land Use and Construction Code

Mr. Bole reported in Mr. Strauch's absence that the next Land Use meeting will be on December 1st at 8:00.

Municipal Attorney

Regular Session Meeting
Mayor and Council
November 24, 2014

Mr. Bole did not have a report

Municipal Clerk

Mr. Valenzuela did not have a report

Public Comments:

There were no public comments

Adjournment:

On a motion by Councilwoman White, the Council voted unanimously to adjourn at 9:31.

Respectfully submitted,



Frank Valenzuela
Acting Municipal Clerk